

BRENDA PEREZ,)
)
 Plaintiff,)
)
 vs.) ORDER
)
 STEVE HUMPHRIES, et al.,)
)
 Defendants.)
 _____)

A&E was not named as a defendant in the caption of Plaintiff's Complaint, nor was it named as a defendant in the body of Plaintiff's Complaint, which expressly identifies only five

individuals as defendants. Moreover, A&E was not named as a defendant in the five summonses Plaintiff filed contemporaneously with her Complaint. This Court dismissed all individual defendants via its Order dated March 13, 2018, because there is no individual liability under Title VII of the Civil Rights Act of 1964. In that Order, however, the Court misread a typographical error¹ in a street address listed by Plaintiff for service to the individual defendants at “24 American &Efird” as a corporate defendant. It appears to the Court that A&E is not, in fact, a defendant in this case.

Plaintiff received her “Notice of Right to Sue” from the Equal Employment Opportunity Commission on December 11, 2017. (Doc. No. 1, ¶4). Plaintiff’s ninety-day deadline to file a Complaint against A&E expired on Monday, March 12, 2018. Any Complaint filed by Plaintiff against A&E at this point would be more than six months too late. Accordingly,

IT IS THEREFORE ORDERED that A&E’s Motion to Dismiss is hereby granted and the Complaint is dismissed with prejudice.

Signed: October 1, 2018

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge



¹ This is a typographical error as the actual street address listed in the summonses is “American and Efird, 24 American St., Mt. Holly, NC 2812.”